

**ORDINANCE NO. 452**

**AN ORDINANCE PROHIBITING SMOKING IN MUNICIPAL BUILDINGS AND CERTAIN PROPERTIES OWNED, OPERATED OR CONTROLLED BY THE CITY OF PIEDMONT, ALABAMA.**

WHEREAS, the United States Surgeon General has concluded that involuntary smoking is a cause of disease, including lung cancer in non smokers; and

WHEREAS, the possession of lighted smoking materials is a nuisance and is hazardous to the public health, safety, comfort, convenience and indoor environment; and

WHEREAS, the Mayor and City Council of the City of Piedmont, Alabama finds it necessary to prohibit smoking in all public buildings and certain public properties owned, operated or controlled by the City of Piedmont, Alabama.

NOW, THEREFORE, BE IT ORDAINED BY the Mayor and City Council of the City of Piedmont, Alabama, that it hereby establishes regulations governing smoking in certain public places to read as follows:

**SECTION I. DEFINITIONS**

- (a) "Smoking" or "Smoke" shall include the carrying, holding or possession of lighted smoking materials in any form, including but not limited to, the possession of lighted cigarettes, cigars, pipes or other tobacco products;
- (b) "Public Buildings and Public Properties" means buildings and properties owned, operated or otherwise controlled by the City of Piedmont, Alabama, or its instrumentalities.

**SECTION II. OFFENSES**

Smoking is hereby prohibited in the following public buildings and public properties:

- (a) City of Piedmont Administrative Building.
- (b) City of Piedmont Public Safety Building.
- (c) City of Piedmont Fire Hall Building.
- (d) City of Piedmont Municipal Court Building.
- (e) Piedmont Civic Center Building.
- (f) Piedmont Senior Center Building.
- (g) Piedmont Learning Center Building.
- (h) Piedmont Public Works Department Buildings.
- (i) Piedmont Public Utilities Buildings.
- (j) Piedmont Parks and Recreation Buildings.
- (k) Piedmont Public Library Building.
- (l) All properties controlled by the Piedmont Health Care Authority.
- (m) Cross Plains Depot and Museum Building.
- (n) All Piedmont Sports Complex Fields, bleacher areas and concourses.
- (o) Any building or properties controlled by the City of Piedmont Board of Education.
- (p) Bethune Community Center Building.
- (q) Any and all other public buildings and/or properties owned, operated or controlled by the City of Piedmont, Alabama, or its instrumentalities deemed necessary and proper by the Mayor and City Council of the City of Piedmont, Alabama.

**SECTION III. ENFORCEMENT**

The provisions of this article are enforceable by (1) the Chief of Police or any sworn officer of the Piedmont Police Department or (2) the County Health Officer or duly appointed representative thereof.

SECTION IV. PENALTY

Shall be guilty of an "offense" and shall be subject to punishment by a fine of not less than Twenty-Five Dollars nor more than One Hundred Dollars (\$100.00) for each such "offense".

SECTION V. MISCELLANEOUS

- (a) Nothing in this Article excuses non-compliance with any Federal or State law, other City of Piedmont ordinance, or any rule or regulation which prohibits smoking.
- (b) Validity or Constitutionality. If any portion of this ordinance shall be held unconstitutional, invalid or unenforceable, such holding shall not affect the remaining portions nor render the remaining portions invalid, and to that end the provisions hereof are declared to be severable.

SECTION VI. EFFECTIVE DATE

This ordinance shall become effective at 12:01 a.m. on the 4th day of October, 1995, provided that a copy of this ordinance shall first have been published in the Piedmont Journal Independent, a newspaper of general circulation published in the City of Piedmont, Alabama, and the City Clerk of the City of Piedmont is hereby ordered and directed to cause a copy of this ordinance to be published one time in said newspaper.

PASSED AND ADOPTED THIS THE 25th DAY OF September, 1995.

Vern Stewart  
Mayor

Jerome C. Wilson  
Council Member

John T. Lawrence  
Council Member

Eddie A. Baldwin  
Council Member

Jack Holden  
Council Member

William Baker  
Council Member

Mary C. Branstetter  
Council Member

Frank E. Cobb  
Council Member

ATTEST:

Bert M. \_\_\_\_\_  
City Clerk/Administrator